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RT

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/533,750 03/23/00 LADVA

H 57.0329

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EXAMINER

TUCKER, P

ART UNIT

PAPER NUMBER

1712

DATE MAILED:

4
10/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

533750

Applicant(s)

LADVA ET AL

Examiner

P. TUCKER

Group Art Unit

1712

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 - 7 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 - 7 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Pye (3711405).

Pye teaches a low fluid loss composition comprising water and a water-insoluble, oil-soluble crystalline wax (column 4, lines 49-60) which forms a deposit on the formation surface and is dissolved by production of the hydrocarbons. Such waxes would be within the weight range of the present invention. A polymer is mixed with the wax which would encapsulate wax crystals. The present invention is thus anticipated by Pye.

3. Claims 1-4, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Gallus (3711405).

Gallus teaches a low fluid loss composition comprising water and a water-insoluble, oil-soluble crystalline wax (column 4, lines 9-20) which forms a deposit on the formation surface and

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is dissolved by production of the hydrocarbons. Such waxes would be within the weight range of the present invention. A polymer is mixed with the wax which would encapsulate wax crystals.

The present invention is thus anticipated by Gallus.

4. Claims 1-3 and 5- 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Dill (3724549).

Dill teaches a composition comprising an aqueous carrier and a water insoluble, oil soluble hydrocarbon such as a dicyclopentadiene (terpene) resin, which is used to plug the well formation, and is removed by the production of the well. Dill also teaches the use of other compositions comprising compounds such as naphthalene and wax (see examples). The present invention is thus anticipated by Dill.

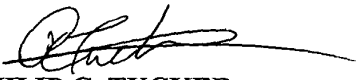
5. Claims 1-3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hower (2803306).

Hower teaches a composition comprising water and a water-insoluble, oil-soluble crystalline compound such as naphthalene, anthracene or beta-naphthol (column , line 62 - column 4, line 3) which forms a deposit on the formation surface and is dissolved by production of the hydrocarbons. Such compounds would be within the weight range of the present invention. The present invention is thus anticipated by Hower.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tucker whose telephone number is (703) 308-0529. The examiner's normal working hours are 7:30am-4:00pm, Monday-Friday. If necessary SPE Robert Dawson may be contacted at 703-308-2340. For inquiries of a general nature call the receptionist at 703-308-0651. The group FAX no. is 703-872-9310. The **after final** fax no. Is 703-872-9311.

PCT-2326
October 1, 2001


PHILIP C. TUCKER
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